

REMARKS

Claims 1, 4, 6, 8, 10, 12 and 14 are currently pending for consideration. Claims 1, 6, 8, 10 and 14 stand rejected under 35 USC 102(b) as being anticipated by Crinkelmeyer (US 4,102,400). Applicants respectfully traverse the rejection as further detailed below.

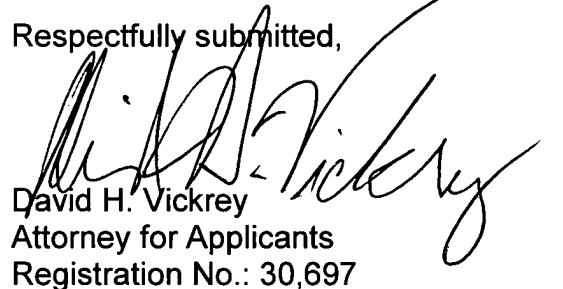
Applicants first note with appreciation that the earlier rejection over Bartlett has been withdrawn and that claims 4 and 12 would be allowable if rewritten in independent form.

However, the Office Action sustains a rejection of claims 1, 6, 8, 10 and 14 over Crinkelmeyer. Applicants appreciate the Examiner's telephone discussion with Michelle Burke indicating a willingness to reconsider the Crinkelmeyer reference. In this regard, the Applicant's draw the Examiner's attention to the Paul Moore article "Silica flour: The finest money can buy". There, in the first two paragraphs, natural crystalline silica (for example, silica flour, ground silica and milled silica) is distinguished from, *inter alia*, colloidal silica, which the article states is synthetic and amorphous with much higher surface area than natural crystalline forms. The article goes on to state that these synthetic silicas, such as colloidal silica, are for different markets than silica flour and that they cannot be substituted for silica flour. The Applicants fail to see in Crinkelmeyer any disclosure of colloidal silica particles as required in the current invention. Crinkelmeyer discloses, for example, at col. 4, lines 62-69 that suitable particulate materials "include, powdered silica materials such as silica flour, natural pozzolans, fly ash, diatomaceous earth and other water inert powders such as calcium carbonate, barium sulfate, talc, and the like." At col. 5, lines 24-27, Crinkelmeyer discloses that its most preferred embodiment empolys "about 10 percent silica flour which passes through a 200 mesh screen U.S. Sieve Series." The distinction between natural crystalline silica (such as silica flour) and synthetic, amorphous silica (such as colloidal silica) is clearly set forth in the Moore article. It is also clear from that article that the synthetic, amorphous silica

(such as colloidal silica) is used for different markets and not substitutable for silica flour. Accordingly, the Applicants submit that the silica disclosed in Crinkelmeyer is not the colloidal silica particles that are components of the currently claimed invention. For this reason alone, the Crinkelmeyer does not anticipate the current invention.

In view of the comments above, the Applicants respectfully request withdrawal of the rejections and allowance of the claims. The Examiner is invited to contact the undersigned if thought helpful in the progress the case.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "David H. Vickrey", is written over the typed name and title. The signature is fluid and cursive, with a long horizontal stroke extending to the right.

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